



Focus

Proposed Rule Amendment

Solid Waste Incinerator Facilities Chapter 173-434 WAC

Background information

Solid waste incinerators in Washington state are regulated by Chapter 173-434 of Washington Administrative Code (WAC), Solid Waste Incinerator Facilities. This WAC establishes emission standards, design requirements, and performance standards for these facilities. It applies to facilities that incinerate more than 12 tons of solid waste per day. There are currently three facilities in Washington that burn more than 12 tons per day of solid waste. They are located in Tacoma, Everett, and Spokane. Regulations for the Tacoma and Spokane facilities are enforced by the Puget Sound Clean Air Agency (PSCAA) and the Spokane County Air Pollution Control Authority (SCAPCA), respectively. The Everett facility is regulated by the Department of Ecology because it is a pulp mill.

“Solid waste” includes garbage, ashes, industrial wastes, swill, demolition and construction wastes, and abandoned vehicles or their parts. It can also include discharge from septic tanks and dangerous wastes.

Solid waste incinerators are a source of air pollutants such as dioxin, mercury, and sulfur dioxide.

Proposed rule amendments

The Washington State Department of Ecology (Ecology) is proposing to amend Chapter 173-434 WAC for solid waste incinerator facilities. For affected facilities, the proposed amendments would replace the existing rule requirements with the Environmental Protection Agency’s (EPA’s) more stringent waste incinerator rules (found in 40 CFR, Part 60, Subpart Eb). Using the EPA rules would significantly strengthen controls on incineration of solid waste, including municipal solid waste. It would also mean the rules would apply to a wider range of facilities. Under certain specified conditions, burning of creosote-treated wood would no longer be covered by this regulation. Burning of creosote-treated wood would still be regulated under other rules.

What is the reason for the proposed amendments?

The proposed amendments replace design and operation requirements for solid waste incinerator facilities with emission limits. This means that, instead of regulating a facility based on the way it was built and how it operates, agencies would regulate it based on how much air pollution it emits. Ecology believes this is a more effective and practical way to manage solid waste incinerator facilities because it limits emissions of air pollutants, while allowing facilities to have more flexibility in the way they operate. This represents a change from a more prescriptive to a more performance-based approach. This amendment would also establish limits for some substances not addressed in current regulations.

The proposed amendments do not cover the burning of creosote-treated wood because the substances emitted by this type of burning are already addressed by other regulations. This exemption eliminates redundancies in the regulations.

What facilities would be affected by the proposed amendments?

Affected facilities include those currently subject to Chapter 173-434 WAC, and those that burn more than 12 tons per day of creosote-treated wood. The two affected facilities in Washington are the Tacoma Steam Plant in Tacoma and the Kimberly-Clark plant in Everett. The facility in Spokane, which was in existence before the EPA regulations became effective, would not be subject to the amended regulation.

The proposed amendments would impose stricter emission limits on the Tacoma Steam Plant. They would eliminate overlapping and redundant regulations for the Kimberly-Clark plant by exempting requirements for burning of creosote-treated wood. Emissions from the burning of creosote-treated wood would be regulated through limits set on sulfur emissions in Kimberly-Clark's permit.

How can I comment on this proposed rule amendment?

Ecology is holding a public meeting on this issue on January 15, 2003. The meeting will be held from 6 to 8 p.m. at the Tacoma Steam Plant, located at 1171 Taylor Way, Tacoma, Washington.

Ecology and PSCAA will also hold a public hearing on this issue. The hearing is tentatively planned for March of 2003. The hearing will be publicized through area newspapers and mailing of a hearing notice to interested parties. Public comments can be submitted at the hearing or at any time throughout the comment period. The hearing will also address adding the amended regulation to the State Implementation Plan (SIP), which is a statewide plan for meeting air quality standards.

To have your name placed on the mailing list for notice of this hearing, please contact Steve Cross at the Department of Ecology's Air Quality Program at (360) 407-6875 (e-mail ster461@ecy.wa.gov).

For more information

Questions about the proposed rule amendments may be directed to:

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If you have special accommodation needs, please call Judy Beitel at the Department of Ecology's Air Quality Program, (360) 407-6878 (voice), 711 or 1-800-833-6388 (TTY only).